

Last revised 8/1/15

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

In Re:  
Lillian Rodriguez-Mayor

Case No.: 16-23254

Judge: RG

Chapter: 13

Debtor(s)

**Chapter 13 Plan and Motions**

- Original       Modified/Notice Required       Discharge Sought  
 Motions Included       Modified/No Notice Required       No Discharge Sought

Date: 31 October 2016

THE DEBTOR HAS FILED FOR RELIEF UNDER  
CHAPTER 13 OF THE BANKRUPTCY CODE

**YOUR RIGHTS WILL BE AFFECTED**

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED  
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN  
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

**Part 1: Payment and Length of Plan**

a. The debtor shall pay \$ \*\*\* per month to the Chapter 13 Trustee, starting on 1 August 2016 for approximately 60 months.

b. The debtor shall make plan payments to the Trustee from the following sources:

- Future earnings  
 Other sources of funding (describe source, amount and date when funds are available):

Months 1-3 - \$50; Months 4-60 - \$500.

c. Use of real property to satisfy plan obligations:

- Sale of real property

Description:

Proposed date for completion: \_\_\_\_\_

- Refinance of real property:

Description:

Proposed date for completion: \_\_\_\_\_

- Loan modification with respect to mortgage encumbering property:

Description: 168 Sherman Avenue, Glen Ridge, NJ 07028

Proposed date for completion: 6 months

- d.  The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

- e.  Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$ \_\_\_\_\_ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to \_\_\_\_\_ (creditor).

b. Adequate protection payments will be made in the amount of \$ 2,250.00 to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: Ceniar Loan Administration (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

| Creditor | Type of Priority | Amount to be Paid |
|----------|------------------|-------------------|
|          |                  |                   |

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

| Creditor                   | Collateral or Type of Debt                             | Arrearage   | Interest Rate on Arrearage | Amount to be Paid to Creditor (In Plan) | Regular Monthly Payment (Outside Plan) |
|----------------------------|--|-------------|----------------------------|---|--|
| Cenlar Loan Administration | Mortgage<br>168 Sherman Avenue<br>Glen Ridge, NJ 07028 | \$58,929.00 |                            |   | \$2,250.00                             |

**b. Modification**

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

**NOTE: A modification under this Section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.**

| Creditor | Collateral | Scheduled Debt | Total Collateral Value | Superior Liens | Value of Creditor Interest in Collateral | Annual Interest Rate | Total Amount to be Paid |
|----------|------------|----------------|------------------------|----------------|--|----------------------|-------------------------|
|          |            |                |                        |                |  |                      |                         |

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

**c. Surrender**

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

| Creditor | Collateral to be Surrendered | Value of Surrendered Collateral | Remaining Unsecured Debt |
|----------|------------------------------|---------------------------------|--------------------------|
|          |                              |                                 |                          |

**d. Secured Claims Unaffected by the Plan**

The following secured claims are unaffected by the Plan:

**e. Secured Claims to be Paid in Full Through the Plan:**

| Creditor | Collateral | Total Amount to be Paid Through the Plan |
|----------|------------|--|
|          |            |  |

**Part 5: Unsecured Claims**

**a. Not separately classified allowed non-priority unsecured claims shall be paid:**

Not less than \$ \_\_\_\_\_ to be distributed *pro rata*

Not less than \_\_\_\_\_ percent

*Pro Rata* distribution from any remaining funds

**b. Separately classified unsecured claims shall be treated as follows:**

| Creditor | Basis For Separate Classification | Treatment | Amount to be Paid |
|----------|-----------------------------------|-----------|-------------------|
|          |                                   |           |                   |

**Part 6: Executory Contracts and Unexpired Leases**

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

| Creditor                        | Nature of Contract or Lease | Treatment by Debtor |
|---------------------------------|-----------------------------|---------------------|
| Regional Acceptance Corporation | Vehicle Loan                | \$1,092.67          |

Part 7: Motions

**NOTE:** All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Certification of Service must be filed with the Clerk of Court when the plan and transmittal notice are served.

**a. Motion to Avoid Liens Under 11 U.S.C. Section 522(f).**

The Debtor moves to avoid the following liens that impair exemptions:

| Creditor | Nature of Collateral | Type of Lien | Amount of Lien | Value of Collateral | Amount of Claimed Exemption | Sum of All Other Liens Against the Property | Amount of Lien to be Avoided |
|----------|----------------------|--------------|----------------|---------------------|-----------------------------|---|------------------------------|
|          |                      |              |                |                     |                             |   |                              |

**b. Motion to Avoid Liens and Reclassify Claim From Secured to Completely Unsecured.**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

| Creditor | Collateral | Amount of Lien to be Reclassified |
|----------|------------|-----------------------------------|
|          |            |                                   |

**c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

| Creditor | Collateral | Amount to be<br>Deemed Secured | Amount to be<br>Reclassified as Unsecured |
|----------|------------|--------------------------------|---|
|          |            |                                |   |

**Part 8: Other Plan Provisions**

**a. Vesting of Property of the Estate**

- Upon confirmation
- Upon discharge

**b. Payment Notices**

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

**c. Order of Distribution**

The Trustee shall pay allowed claims in the following order:

- 1) Trustee commissions
- 2) Unsecured Creditors
- 3) \_\_\_\_\_
- 4) \_\_\_\_\_

**d. Post-Petition Claims**

The Trustee  is,  is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

**Part 9: Modification**

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being Modified: 22 July 2016

Explain below why the plan is being modified:

Budget requires a higher payment.

Explain below how the plan is being modified:

Higher Payment.

Are Schedules I and J being filed simultaneously with this Modified Plan?  Yes  No

Part 10: Sign Here

The Debtor(s) and the attorney for the Debtor (if any) must sign this Plan.

Date: 31 October 2016

/s/ Vincent D. Commisa

Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: 31 October 2016

/s/ Lillian Rodriguez-Mayor

Debtor

Date: \_\_\_\_\_

Joint Debtor

**Certificate of Notice Page 8 of 9**  
**United States Bankruptcy Court**  
**District of New Jersey**

In re:  
 Lillian Rodriguez-Mayor  
 Debtor

Case No. 16-23254-RG  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin  
 Form ID: pdf901

Page 1 of 2  
 Total Noticed: 17

Date Rcvd: Nov 02, 2016

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 04, 2016.

|           |  |
|-----------|--|
| db        | +Lillian Rodriguez-Mayor, 168 Sherman Avenue, Glen Ridge, NJ 07028-1516  |
| 516388458 | ++BANK OF AMERICA, PO BOX 982238, EL PASO TX 79998-2238<br>(address filed with court: Bank of America, PO Box 982238, El Paso, TX 79998) |
| 516471206 | +Bureaus Investment Group Portfolio No 15 LLC, c/o PRA Receivables Management, LLC,<br>PO Box 41021, Norfolk, VA 23541-1021              |
| 516388459 | +Comenity Bank, 4590 E. Broad Street, Columbus, OH 43213-1301  |
| 516388460 | +First Premier Bank, 601 S. Minnesota Avenue, Sioux Falls, SD 57104-4868   |
| 516451996 | +HomeBridge Financial Services, Inc., Cenlar FSB, 425 Phillips BLVD, Ewing, NJ 08618-1430  |
| 516388463 | +NJ State Division of Pensions, 50 West State Street, Trenton, NJ 08608-1220   |

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

|           |   |
|-----------|---|
| smg       | E-mail/Text: usanj.njbankr@usdoj.gov Nov 02 2016 23:06:56 U.S. Attorney, 970 Broad St.,<br>Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534  |
| smg       | +E-mail/Text: ustpregion03.ne.ecf@usdoj.gov Nov 02 2016 23:06:50 United States Trustee,<br>Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,<br>Newark, NJ 07102-5235 |
| 516293443 | E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Nov 02 2016 23:03:44<br>American InfoSource LP as agent for, Spot Loan, PO Box 248838,<br>Oklahoma City, OK 73124-8838   |
| 516388462 | E-mail/Text: BankruptcyNotices@aafes.com Nov 02 2016 23:06:03 Military Star,<br>PO Box 650410, Dallas, TX 75236   |
| 516281315 | +E-mail/Text: kzoepfel@credit-control.com Nov 02 2016 23:06:58 Central Loan Administration,<br>425 Phillips Blvd, Ewing, NJ 08618-1430  |
| 516388464 | +E-mail/Text: bankruptcy@onlineis.com Nov 02 2016 23:07:21 On Line Collections,<br>PO Box 1489, Winterville, NC 28590-1489  |
| 516281316 | +E-mail/PDF: RACBANKRUPTCY@BBANDT.COM Nov 02 2016 22:58:18 Regional Acceptance Co.,<br>621 W. Newport Pike, Wilmington, DE 19804-3235   |
| 516308631 | E-mail/PDF: RACBANKRUPTCY@BBANDT.COM Nov 02 2016 22:58:18 Regional Acceptance Corporation,<br>PO Box 1847, Wilson, NC 27894-1847  |
| 516388466 | +E-mail/Text: clientservices@simonsagency.com Nov 02 2016 23:07:36 Simons Agency Inc.,<br>4963 Wintersweet Drive, Liverpool, NY 13088-2176  |
| 516410992 | E-mail/PDF: rmscendi@recoverycorp.com Nov 02 2016 22:57:59 The Bureaus, Inc.,<br>c/o of Recovery Management Systems Corp, 25 S.E. 2nd Avenue, Suite 1120,<br>Miami, FL 33131-1605                           |

TOTAL: 10

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

|            |  |
|------------|--|
| 516388461* | +First Premier Bank, 601 S Minnesota Avenue, Sioux Falls, SD 57104-4868  |
| 516388465* | +Regional Acceptance Co., 621 W. Newport Pike, Wilmington, DE 19804-3235 |
| 516388467  | ##+The Bureaus Inc., 1717 Central Street, Evanston, IL 60201-1507        |

TOTALS: 0, \* 2, ## 1

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 04, 2016

Signature: /s/Joseph Speetjens

District/off: 0312-2

User: admin  
Form ID: pdf901

Page 2 of 2  
Total Noticed: 17

Date Rcvd: Nov 02, 2016

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 1, 2016 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor HomeBridge Financial Services, Inc.

dcarlon@kmllawgroup.com, bkgroup@kmllawgroup.com

Marie-Ann Greenberg magecf@magtrustee.com

Vincent Commisa on behalf of Debtor Lillian Rodriguez-Mayor vcommisa@vdclaw.com

TOTAL: 3